

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

BERKELEY COUNTY SCHOOL BOARD
OF TRUSTEES,

Petitioners,

v.

C.A. No. 2:18-cv-00151-DCN

HUB INTERNATIONAL LIMITED, HUB
INTERNATIONAL MIDWEST LIMITED,
HUB INTERNATIONAL SOUTHEAST,
KNAUFF INSURANCE AGENCY, INC.,
STANLEY J. POKORNEY,
SCOTT POKERNEY, and
BRANTLEY THOMAS,

Respondent.

**MOTION BY DEFENDANTS HUB INTERNATIONAL LIMITED AND
HUB INTERNATIONAL MIDWEST LIMITED
TO ENLARGE FOR ALL DEFENDANTS THE
TIME FOR FILING AN ANSWER OR RULE 12 MOTION**

Defendants Hub International Limited and Hub International Midwest Limited (the “Hub Defendants”), by counsel, respectfully move pursuant to Local Civil Rule 6.01 to enlarge for every Defendant the time within which an answer or motion is due under FRCP Rule 12, and in support thereof state as follows:

1. The deadline for the Hub Defendants to file an answer or motion under FRCP Rule 12 has always been March 20, 2018. The deadline for Defendants Hub International Southeast, Knauff Insurance Agency, Inc.,¹ Stanley Pokorney, Scott

¹ Hub International Southeast is not a separate corporate entity, but rather a division of Hub International Midwest Limited, and Knauff Insurance Agency, Inc. has been merged into

Pokorney, and Brantley Thomas was extended only one time, to that same date of March 20, by consent of the parties and Order of this Court dated February 9, 2018. Dkt. 15.

2. Yesterday, on March 5, the Hub Defendants filed their Motion To Enforce Arbitration Agreements and Memorandum in Support (the “Arbitration Motion”), which requests that this Court stay this action in its entirety pursuant to the Federal Arbitration Act (“FAA”), 9 U.S.C. §§1-4, pending arbitration. Dkt. 23.
3. The Hub Defendants request an extension of the due date until fourteen (14) days after this Court rules on the Arbitration Motion. This extension should be granted so as to avoid wasted effort by the Court and by the parties in this action because, as set forth in the Arbitration Motion, the dispute set forth in this action should proceed only by arbitration. Toward that end, the Hub Defendants have withdrawn their previously filed Motion To Stay Discovery, Docket 19.
4. This requested extension would not affect any other deadlines, as this case is in its infancy and no other deadlines have been set.
5. Counsel for the Hub Defendants conferred with counsel who have filed an appearance for any of the Defendants, as well as counsel for Plaintiff Berkeley County School Board. Counsel for Defendants Stanley Pokorney and Scott

Defendant Hub International Midwest Limited, thus neither one is a proper defendant in this action.

Pokorney consent to the extension, and Counsel for Plaintiff does not consent to the extension.

WHEREFORE, the Hub Defendants request that this Court extend the date by which each Defendant is to file an answer or motion under FRCP Rule 12 until fourteen (14) days after the Court rules on the pending Arbitration Motion.

Dated: March 6, 2018

Respectfully submitted,

/s/ Christy Ford Allen

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